

LAND SUBDIVISION COMMITTEE MEETING
September 8, 2011

Members

Gregg Humphrey

Steve Stewart

Nate Bottom

Steve Hall

Matt McLaughlin

Paul O'Shea

Brian Davis

Kenneth Springs

Roleen Thoele

Lori Williams

Paul O'Shea

Others

Sharon Murray

Jeff Antonacci

Alex Lyons

Nick McCarthy

Brad Mills

Christine Zeman

Mike Lopez

Staff

Joe Zeibert

Steve Keenan



September 9, 2011

TO: Sharon Murray

620 West Browning Road

Springfield, IL 62707

RE: Murray/Burke Park City Minor
Subdivision

Variance Sec. 153.158(b)(2)

Lot Arrangement

Enclosed are minutes of the **September 8, 2011** Subdivision Committee Meeting.

Revisions are necessary – See minutes

☒ Revisions are not necessary

The following are needed at the Planning Commission office by **September 19, 2011** for review at the **September 21, 2011** Planning Commission meeting to be held at 9:30 AM in the County Board Room, 2nd Floor, County Building

☒ Original

☐ 8 Copies

☐ Percolation Data & Certification

☐ Covenants

☐ Proof of Publication from Newspaper

☐ Surveyor's Certification

☐ Owner's Acknowledgement

☐ Drainage Statement

☐ Other

cc:

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

FILE NO. 2005.08

CENSUS TRACT # 3

NAME OF SUBDIVISION:	Murray/Burke Park City Minor Subdivision – Variance Sec. 153.158(b)(2) – Lot Arrangement
JURISDICTION:	City
DATE OF MEETING:	September 8, 2011
OWNER:	Sharon Murray
ENGINEER:	N/A
DESCRIPTION:	Pt SE ¼, Sec. 16, T16N, R5W – South side of Browning Road, west of Veterans Parkway
	3.73 Acres 2 Lots
MOTION TO RECOMMEND:	Deny a Variance of Section 153.158(b)(2) – Lot Arrangement – to allow a flag lot and to allow a lot without frontage upon and access to a public street.
BY:	Nate Bottom
2ND BY:	Kenneth Springs
VOTE:	Unanimous

Sharon Murray presented the variance request for 3.73 acres, i.e. Lot 2, of the subdivision. She asked for the variance to allow construction of a second building slightly west and south of the current building and to allow division of the property.

Joe Zeibert, Regional Planning Commission, said the subdivision was completed by Murray and Burke in 2006, creating two lots. He said Murray received the smaller lot and Burke received the larger lot. Zeibert said the applicant wanted to divide her current lot to create another lot behind the existing lot without public road frontage. He said Murray's access would come from Browning Road. Murray said there could not be access from Veteran's. Zeibert said staff reviews variances based on six requirements in the [City of Springfield] Land Subdivision Ordinance. He said the first requirement is whether the intent of the chapter is maintained. Zeibert said for each variance request staff has to ensure certain requirements are met. He said staff must ensure adequate public services can be provided to the site such as police and fire protection. Zeibert said the variance request will create a second lot which will be difficult to see from the public road. Murray said the lot will not be right behind the current lot but will be slightly to the west of the current lot. Zeibert said the proposed lot will be beyond the current lot and farther from the road. He said the lot will be difficult to see from the road. Zeibert said another requirement from the ordinance is from [Section 153.201](c)(5) which states: "The circumstances upon which the request for variance is based are not the result of the subdivider's affirmative act or failure to act." He said in this case the applicant created a lot and constructed a tack shop that put the applicant in the scenario she is today. Zeibert said based on these standards, staff recommends denial of the variance request.

Kenneth Springs, citizen member, said he had the same concerns Zeibert discussed about access for the police and fire departments. He asked whether the parking area that would be part of the access way would cause problems. Murray said she could make the parking lot be a parking lot. She said she could put a road in the 40' frontage area. Murray said she talked to Brian Davis, Sangamon County Highway Department, who said another entrance could not be placed along Browning because there were too many access points. Murray said [Jimmy] Burke said he would remove an entrance that had been in place many years so Murray could add another entrance. Murray said if County Highway would allow her to go another 20' there would be a straight run into the property with a fence and that would not affect the parking lot.

Brian Davis, Sangamon County Highway Department, said when Burke constructed his business he was instructed by County Highway that he could not have a second entrance to his property. He said this is the reason the second entrance on Burke's property is blocked off. Murray said she did not know that. Davis said Burke's removing a second entrance would not allow an additional access point to Murray's property to be constructed. Murray asked if she could extend the width of her existing entrance. Davis said no; the entrance was wide enough to meet the requirement for a commercial driveway. Murray said allowing another access point would allow the entry to be straight into the property. She said there was 47' to the west. Davis said the Highway Department has reviewed the access points and would not allow an additional entrance off the County Highway, i.e. Browning Road.

Steve Stewart, CWLP-Water, said there is a water main along Browning Road with ample capacity to serve additional property. He there is a fire hydrant in front of the property. Stewart said there are some concerns about fire safety for the proposed back building. He said without an easement or a clear path the fire truck may not be able to get directly from the hydrant to the proposed back building. Stewart said the [deputy] fire chief was not present but that if the fire hydrant needed to be moved closer to the back building it could be difficult without an easement or access. He said constructing the second entrance could block access for fire trucks and public safety or a clearly defined easement for the water line that could be needed for the proposed building. Stewart said there is a water line with adequate capacity.

Gregg Humphrey, Springfield Metro Sanitary District, said to serve the property with sanitary sewer, a main extension will be necessary and easements shall be provided for the extension of the existing service lines, one which serves the property to the west. He said there are private sewer lines across the property. Murray said these lines are Martin's. Humphrey asked if there is sewer to the front building now. Murray said she is on Martin's sewer behind her property that she tied into in the past. Humphrey asked if Murray tied into the private sewer to which Murray replied she was tied into Martin's sewer. Humphrey said that was a violation of the Metro Sanitary District's ordinances. Murray said someone talked to the Sanitary District when the sewer was connected. Humphrey said depending on what size Martin's sewer is the District would have to review the connection. Murray said there was a Sanitary District representative with Burke when the sewer connection was made. Humphrey said there would have to be a public sewer extension to serve the new building. Murray said she had no problem with the requirement.

Nate Bottom, Office of Public Works, said Public Works recommends denial for the same reasons Zeibert discussed and upon which Stewart elaborated.

Lori Williams, City Traffic Engineer, had no comments.

Matt McLaughlin, Springfield Building and Zoning, said Building and Zoning was okay so long as there is a permanent recorded easement to the proposed back lot.

Paul O'Shea, Office of Planning and Economic Development, had no comments.

Cyndi Knowles, Sangamon County Zoning Administrator, had no comments.

Steve Hall, Sangamon County Department of Public Health, had no comments.

Roleen Thoele, CWLP-Electric, said an electric easement to serve the back property will be required.

Brian Davis asked whether the property was annexed to the City of Springfield. Murray said the property was in the City. She said the property had to be annexed to receive water.

Nate Bottom made a motion to deny a variance of Section 153.158(b)(2) – Lot Arrangement – to allow a flag lot and to allow a lot without frontage upon and access to a public street.

Kenneth Springs second the motion and the vote to deny was unanimous.



September 9, 2011

TO: Alex & Dana Lyons

4157 Old Route 36

Springfield, IL 62707

RE: Lyons Estates City Minor
Subdivision

Variance Sec. 153.158(b)(2)

Lot Arrangement

Enclosed are minutes of the **September 8, 2011** Subdivision Committee Meeting.

Revisions are necessary – See minutes

☒ Revisions are not necessary

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cc: Nick & Jennifer McCarthy

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

FILE NO. 2011-03

CENSUS TRACT # 38.01

NAME OF SUBDIVISION:	Lyons Estates City Minor Subdivision – Variance Sec. 153.158(b)(2) – Lot arrangement.
JURISDICTION:	City
DATE OF MEETING:	September 8, 2011
OWNER:	Alex & Dana Lyons
ENGINEER:	N/A
DESCRIPTION:	Pt NW ¼, Sec. 29, T16N, R4W - North side of Old Route 36, north of I-72 and east of Kamm Road
	4.07 Acres 2 Lots
MOTION TO RECOMMEND:	Deny a Variance of Section 153.158(b)(2) – Lot Arrangement – to allow a flag lot and to allow a lot without frontage upon and access to a public street.
BY:	Nate Bottom
2ND BY:	Kenneth Springs
VOTE:	Unanimous with Brian Davis abstaining

Alex Lyons presented the variance request. He said he would like to split his property equally to allow his son-in-law and his daughter to construct a house on the site. Lyons said he was the township road commissioner. He said there is a 60' recorded access easement on the property. He said several family members live in the vicinity of the property and that there are two houses farther back on the property. Lyons said the site would be suitable for cattle or a home site. He said the Riverton fire chief has no problems with the division. Lyons said he talked with Don Carver of the Sugar Creek Water Commission who has no problems with the division.

Joe Zeibert, Regional Planning Commission, said this is a very similar case to the one just heard, i.e. Murray-Burke Park City Minor Subdivision. Zeibert said in 1995 that the Lyons family rearranged the parcels to their current configuration. He said staff must insure that the intent of the chapter is maintained. Zeibert said providing adequate public services, such as fire safety, is an issue. Zeibert said staff recommends denial of the variance request. He said the subdivision is within the City of Springfield's 1 ½ mile subdivision jurisdiction. Zeibert said after this body makes its recommendation the request goes to the Regional Planning Commission which then makes a recommendation on to the City Council. Lyons asked for what reason the variance request was denied. Zeibert said fire safety and public services. Lyons asked if Zeibert talked to the fire chief. Zeibert said the Regional Planning Commission did not receive any comments from the fire chief. He said the fire chief did not provide any comments for the location map. Steve Stewart-CWLP asked which fire chief Lyons was referring. Lyons said Louie Rogers with the Riverton Fire Protection District. Stewart said the comments were from the Riverton Fire Protection District, not Springfield. Zeibert said he received an email from the

Springfield fire department. Gregg Humphrey, Springfield Metro Sanitary District, asked which township this division was in, to which Lyons replied Clear Lake Township. Zeibert said he knew the road is dirt and gravel and is very narrow and is treed so you cannot really see much from the road. Lyons asked if the road was better would that make a difference. Zeibert said if the road was a public road it would help. He said the road would have to be improved to a certain standard that is approved by Public Works.

Kenneth Springs, citizen member, said he had the same concerns Zeibert had about fire safety. Springs said as much as he would like to see some more building going on he would have to agree with the county.

Brian Davis, Sangamon County Highway Department, said he would not be voting today because of County Highway's relationship with Lyons in conjunction with his duties as road commissioner. Davis said he had a couple of comments. He said the property is within the 1 ½ mile limits but is not within the City of Springfield corporate limits. Davis said it does not appear to be within an area that will be annexed within the near future to the City of Springfield. He said if the applicant has talked to the Riverton Fire Protection District chief he does not understand why the Springfield fire chief or fire marshal can obstruct Riverton's fire control. Davis said the property is off a state highway so since there is no access off a County highway the County Highway Department has no additional comments.

Steve Stewart, CWLP-Water, said the area is served by the Sugar Creek Water District. He said Don Carver, with Sugar Creek Water District, would have the best idea on what capacity is available to the site. Stewart said review by the ordinance requires a fire hydrant nearby. He said he did not see the location of the hydrant on the sketch. Stewart asked how far the hydrant is from the front of the property. Lyons said the hydrant is right across the street, 60' away. Stewart said the proximity of the fire hydrant is an issue and that fire department access to the proposed lot is an issue to discuss with [Deputy] Chief Weber in Springfield. He said if Sugar Creek believes there is adequate capacity, the Water Department does not have a problem with the division. Lyons said Carver called him and told him he did not have a problem with the division.

Gregg Humphrey, Springfield Metro Sanitary District, said because the property is on septic that the District objects to development without all utilities in place.

Nate Bottom, Office of Public Works, said Public Works has the same concerns as the Regional Planning Commission regarding fire and emergency vehicles in general.

Lori Williams, City Traffic Engineer, said she agreed with Bottom.

Matt McLaughlin, Springfield Building and Zoning Department, had no comments.

Paul O'Shea, Office of Planning and Economic Development, had no comments.

Cyndi Knowles, Sangamon County Zoning Administrator, said there are a few zoning issues. She said some rezoning and variances would be required based on how the applicant divided the property. Knowles said at a minimum the back parcel would need to be re-zoned to R-1. She said there would be variances required for 0' road frontage for one parcel and the lot depth exceeding 2 ½ times the lot width for one parcel. She said if the front parcel is left zoned Agricultural a lot width variance, from 150' to 119.30', and a lot area variance, less than 40 acres, would be required.

Steve Hall, Sangamon County Department of Public Health, said Public Health has no objections. He said if a septic system is built, a soils analysis is required.

Roleen Thoele, CWLP-Electric, had no comments.

Lyons asked how the two houses farther back on the property were put in. Zeibert said a variance was passed by the County Board to allow one of the houses to have access through an easement in the 1970s. He said he was unsure about the second house. Lyons asked if there were fire concerns in the past. Zeibert said in the past there was not a system like this set up.

Nate Bottom made a motion to deny a variance of Section 153.158(b)(2) – Lot Arrangement – to allow a flag lot and to allow a lot without frontage upon and access to a public street. He said the Committee is only a recommending body to the City Council. Davis asked why the City is making a motion to deny the variance request on County property. Zeibert said because it is within the City's 1 ½ mile subdivision jurisdiction. Bottom said he would withdraw his motion if Davis wanted to make a motion. Davis said he was not voting. Bottom said the property is within the City's 1 ½ mile subdivision jurisdiction. Zeibert said the property could come into the City sometime in the future. Humphrey said there is a motion on the floor and asked for a second.

Kenneth Springs seconded the motion and the vote to deny was unanimous with Brian Davis abstaining.



September 13, 2011

TO: Jim Erkmann

RE: Prehn Plaza

C/O Prehn-Plaza, Inc.
1101 Spruce Forest Drive
Lake St. Louis, MO 63367

Large Scale Development Plan
Informal Review

Enclosed are minutes of the informal review heard at the **September 8, 2011** Subdivision Committee Meeting.

cc: Glen Garrison
Hoelscher Engineering

**SPRINGFIELD-SANGAMON COUNTY REGIONAL PLANNING COMMISSION
MINUTES OF THE SUBDIVISION COMMITTEE MEETING**

FILE NO. 2011-05
(Lq Sc)
CENSUS TRACT # 25

NAME OF SUBDIVISION:	Prehn Plaza – Large Scale Development Plan [INFORMAL REVIEW]
JURISDICTION:	City
DATE OF MEETING:	September 8, 2011
OWNER:	Jim Erkmann
ENGINEER:	Hoelscher Engineering
DESCRIPTION:	Pt NW ¼, Sec. 13, T15N, R5W – Southeast corner of Stevenson Drive and Dirksen Parkway, adjacent to Bob Evans Restaurant
	<u>6.646</u> Acres <u>2</u> Lots
MOTION TO RECOMMEND:	Withdrawn
BY:	_____
2ND BY:	_____
VOTE:	_____

Jeff Antonacci said the plan was withdrawn from formal review due to a premature submission.

The following written comments were submitted:

Regional Planning Commission

- Easements may need to be vacated.
- Show utilities and landscaping on the same page.
- Show the detention pond on the landscape plan.
- Add an internal pedestrian circulation system from the sidewalk to the building and within the site.
- Sidewalks along the sides of the buildings must be 6' wide where the parking abuts to maintain 4' of clearance or provide bumper blocks.
- Supply erosion control plan details.
- Identify the construction entrance.
- Identify inlet protection on the erosion control plan.
- Submit a grading plan.
- Submit a lumen plan.
- Add a note that all light fixtures shall be full cut-off.

- Key in all symbols and lines on all sheets in legends.
- Add typical pavement sections.
- The site is in an archaeological potential area.
- Change owner to leaseholder.

Kenneth Springs, citizen member – no comments

CWLP-Water

- Additional ground needed for the hotel complicates some of the lease issues.
- IDOT underground gas tanks on IDOT right of way requires IDOT permission to build.
- If underground gas tanks move, they will have to be a specific IEPA designated distance away from the water mains; 20' or more separation may be required.

Springfield Metro Sanitary District

- Public sewer extensions shall be constructed to serve all of the separate parcels. Sanitary sewer easements shall be provided for all proposed and existing sanitary sewers. The Population Equivalent (PE) loading for the site shall be limited to 186 PE, which was the assigned PE loading for the previous Signature Inn Hotel (124 rooms).

Department of Public Works

- A contact person should be designated on the site plan.
- East property line, distance, angle, and curve data should be provided.
- Show vehicular circulation at the hotel.
- Parking in the front yard of the development will need a zoning variance.
- Provide pedestrian connectivity between the development and the public walks along Stevenson Drive.
- No sanitary plan included.
- Drainage calculation need be submitted.
- Inlet Frames types need to be identified.
- Flared end sections are required.
- Rip-rap is required.
- Standard erosion control measure such as ditch checks, inlet protection, stabilized construction entrance are required.
- Draining onto IDOT right of way, IDOT permit will be required.
- The sit down restaurant being proposed is being placed over a utility easement; that is not allowed.
- Yard setbacks should be clearly marked on the plan. The front yard setback for a large scale should be 20'
- Dumpster for the fast food restaurant is located in the front yard. This will have to be placed somewhere else on the site.
- Plans need to be sealed and signed by a PE.
- Driveway widths are not all 24'. Some driveway widths are 22'.

Springfield Building and Zoning Department

- If hotel has a restaurant, more parking may be required.

- The landscape plan looks like it is deficient.

Office of Planning and Economic Development

- More landscaping and a better parking configuration will improve the site's attractiveness.

Sangamon County Zoning Department – no comments

Sangamon County Department of Public Health – no comments

CWLP-Electric

- Be careful of the overhead power lines with the dumpster locations.
- Existing junction cabinets can provide service to the site without further easements.